

REMARKS

This Request for Reconsideration is being filed in response to the final Official Action of June 17, 2009. For the reasons presented below, applicant respectfully requests reconsideration of the rejection of claims 1-11.

Claim Rejections - 35 USC §103

At section 4, claims 1-11 are rejected under 35 USC §103(a) as unpatentable in view of US patent 5,733,674, Law et al (hereinafter Law), further in view of US patent 5,763,112, Redford.

With respect to claim 1, the Office asserts that Law teaches a battery holder comprising the elements set forth in claim 1 except that it does not teach that the electrical contact elements of the at least one battery received by said battery holder come into contact with the electrical elements of said electronic device. The Office asserts that Redford teaches that a conventional electrical device may have a battery cover wherein the electrical contact of the at least one battery comes into direct contact with the electronic device and furthermore that the use of direct electrical contact element in Redford combined with the battery holder of Law is the simple substitution of one known element for another to obtain predictable results. As a result, claim 1 is rejected under 35 USC §103. Applicant respectfully disagrees.

More particularly, the Office concedes that Law does not disclose that the electrical contact elements of the at least one battery received by the battery holder come into contact with the electrical elements of the electronic device. Redford is alleged to teach that a conventional electrical device may have a battery cover wherein the electrical contact of the at least one battery come into direct contact with the electronic device.

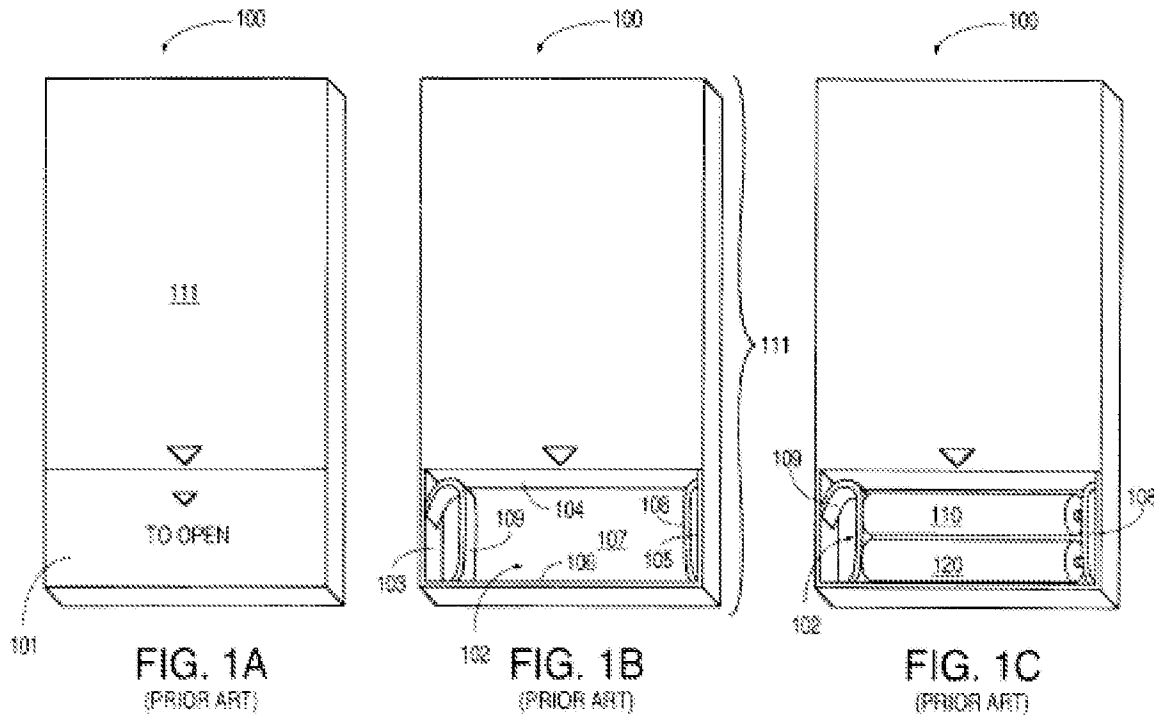
However, claim 1 specifically requires that the battery holder comprises "*a projection and a connection configured to connect said battery holder releasably to an*

electronic device such that electrical contact elements of at least one battery received by said battery holder come into contact with electrical contact elements of said electronic device". Thus, the feature specifically requires that a battery holder is configured such that it may receive a battery in a way that it comes into contact with electrical contact elements of an electronic device. Such a battery holder configuration is not disclosed in any of the cited references. A conventional device that does not make use of a battery holder at all, as presented by Redford, is not suited to render obvious any configuration of a battery holder. Consequently, the teachings of Redford combined with the battery holder disclosed by Law cannot be considered a simple substitution of a known element for another.

The relevance of this feature of claim 1 is elucidated in more detail below.

Redford teaches in col. 1, lines 15-29 with reference to Figure 1: "*A conventional electrical device 100 (FIG. 1A) such as a remote control typically includes a portion, such as a battery cover 101 that can be removed from another portion, such as housing 111 to allow access to an enclosure 102 (FIG. 1B) typically formed by five interior surfaces 103-107 (FIG. 1B) of housing 111. Positive terminal 108 and negative terminal 109 of the circuitry (not shown) of device 100 are located inside enclosure 102, supported by interior surfaces 103 and 105. Terminals 108 and 109 are typically formed as springs (or are spring loaded) to replaceably hold batteries 110 and 120 (FIG. 1C) within enclosure 102. When cover 101 is closed (FIG. 1A), various components, such as terminals 108 and 109, located within enclosure 102 are inaccessible from a region exterior to electrical device 100, unless cover 101 is removed.*"

Figure 1 of Redford is presented as follows:



Redford thus simply teaches an aperture in a device for receiving batteries; it does not teach a releasable battery holder. In the aperture, the batteries are fixed by springs forming electrical contact elements for the batteries or by spring loaded electrical contact elements.

In the current patent application (paragraph [0003] of the published patent application), it is acknowledged that an approach as presented in Figures 1A-1C of Redford is well known: "*It is known to place the battery into a spacing provided in the electronic device and to close the spacing with a cover.*" Furthermore, it is stated in paragraph [0008] of the published patent application that "*it is an object of the invention to provide a improved possibility for exchanging a battery module of an electronic device.*" An effect of the approach of claim 1 is indicated in paragraph [0036] of the published patent application: "*With the presented embodiment of the invention, the*

battery module can thus be exchanged easily by a user of the electronic device. It is on the one hand easy to connect the battery module with the battery holder, and on the other hand to connect the battery holder to the electronic device."

This effect is achieved as outlined in claim 1: "*A battery holder for an electronic device comprising an outer surface, guiding elements configured to receive at least one exchangeable battery at a side opposite to said outer surface and a projection and a connection configured to connect said battery holder releasably to an electronic device such that electrical contact elements of at least one battery received by said battery holder come into contact with electrical contact elements of said electronic device and such that said outer surface of said battery holder forms part of the outer surface of said electronic device.*"

In view of the disclosure of Redford, a person of ordinary skill in the art would not consider the teaching of Redford in the first place when trying to solve a problem that is related to a removable battery holder and an improved way of exchanging a battery.

Furthermore, even if a person of ordinary skill in the art considers Law and Redford in combination, this does not render claim 1 of the present application obvious, as neither of these references addresses a way of enabling an easy exchange of a battery as proposed in claim 1, which is that "... *at least one battery received by said battery holder come into contact with electrical contact elements of said electronic device ...*". (emphasis added)

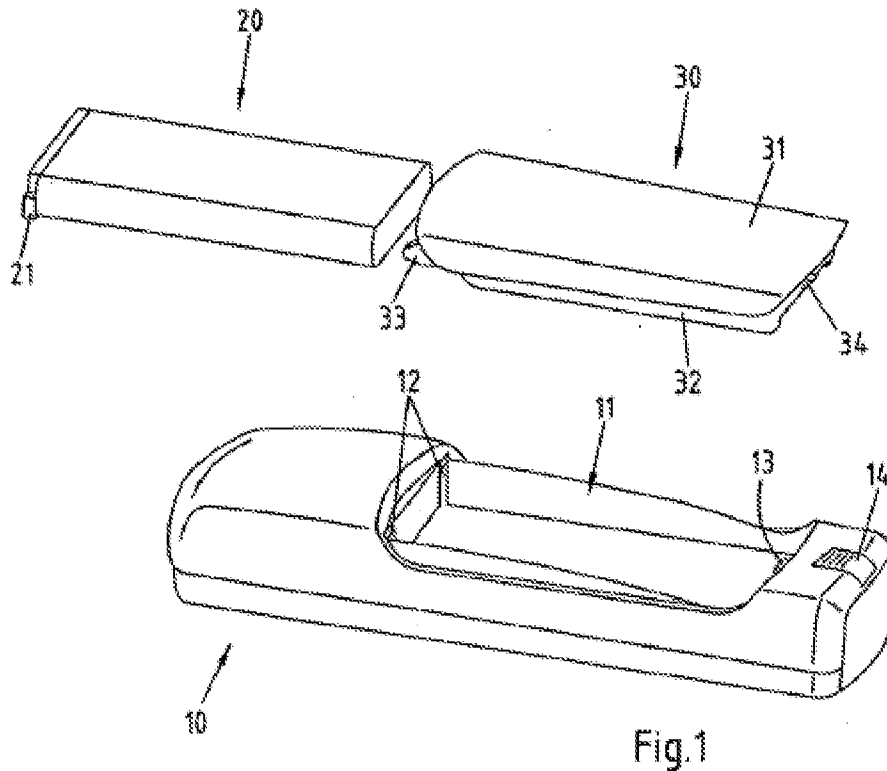
Law highlights how a housing containing batteries can be removed from a device; the batteries can then be exchanged. Law utilizes spring loaded electrical contacts within the removable housing; see col. 7, lines 22-25 and reference signs 56, 58 of Figure 3 of Law copied below:



Redford outlines an aperture for receiving batteries, the aperture being contained within a device. In Redford, electrical contacts in the form of springs (reference signs 108 and 109) are illustrated in Figure 1B, as shown above.

Therefore in both Redford and Law the electrical contacts are retaining the battery within some kind of housing. Thus, neither Law nor Redford provides a solution in which the batteries can be easily removed.

In the solution of claim 1, in contrast, it is not required that electrical contacts are retaining the battery as such. Instead, guiding elements are provided for ensuring that the battery holder may receive a battery. When the releasable battery holder including the battery has been removed from the electronic device, the battery is not retained by electrical contacts within the battery holder, hence it may be easily removed, e.g. by sliding as illustrated in Figure 1 of the present application copied below:



Therefore a differentiating and non-obvious feature of claim 1 of the present application over the cited references is that a battery is brought into contact with electrical contact elements when a battery holder is being connected to the device. In Law, all electrical contacts to the battery are already made when the battery is placed into the battery holder. In Redford, a contact is already made before the cover is connected to the device.

For all of the foregoing reasons, it is respectfully submitted that claim 1 is neither anticipated nor suggested by the cited references.

Independent battery holder claim 11 corresponds to claim 1, but written using means plus function terminology. For similar reasons as those presented above, claim 11 is also believed to be distinguished Law in view of Redford.

Dependent claims 2-10 all ultimately depend from claim 1 and each of these claims is also believed to be allowable at least in view of such dependency.

In view of the foregoing, it is therefore respectfully requested that reconsideration of the rejection of claims 1-11 be made with an accompanying Notice of Allowance.

The undersigned respectfully submits that no fee is due for filing this Request for Reconsideration. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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